

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1195/2018

Date of institution 13.06.2018

Mst. Aftab Jehan D/O Qamar Ali, SST, GGHS, Islamia Collegiate
Peshawar

VERSUS

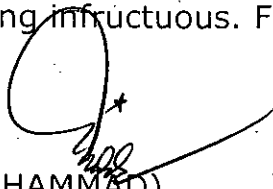
Government of Khyber Pakhtunkhwa through Chief Secretary Khyber
Pakhtunkhwa, Civil Secretariat Peshawar and others.

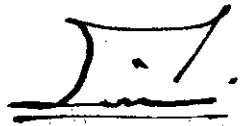
ORDER
26.05.2021

Mr. Mubarak Zeb, Advocate, for the appellant present. Mr.
Muhammad Rasheed, Deputy District Attorney for the respondents
present.

Learned counsel for the appellant submitted an application for
withdrawal of the instant appeal on the ground that the instant
appeal is regarding posting of the appellant, however the appellant
has retired, therefore, the appeal in hand has become infructuous. In
this respect, written endorsement of learned counsel for the appellant
obtained at margin of the order sheet.

In view of the above, the appeal in hand stands dismissed as
withdrawn, being infructuous. File be consigned to the record room.


(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

ANNOUNCED
26.05.2021

*I want to withdraw the present service appeal
being infructuous. Mubarak Zeb Advocate
Member 26.5.2021
(Counsel for the appellant)*

Before the Khyber Pakhtunkhwa Service Tribunal Peshawar

Mst Aftab Jehan vs Govt of KPK & other

Respected Sir,

P.O.F.
Jun
24/05/21

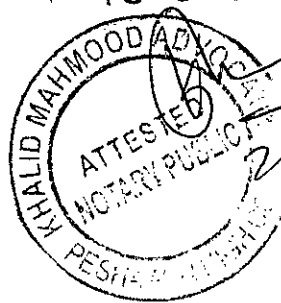
- i) That the above noted appeal is pending before this Honorable tribunal which is fixed for today.
- ii) That the above title appeal is related to the posting of the appellant which became infructuous due to the retirement of the appellant.
- iii) That the above title appeal is infructuous.
- iv) That there is no legal bar while accepting the present application.

It is therefore most humbly prayed that on acceptance of this application the appellant may kindly be allowed to withdraw this present service appeal being infructuous.

Affidavit

applicant
through Zartaj Anwar Advocate
dated 26/5/21
Im. Ichi
f Imyon Khan Advocate
Mubarak Zeb Adil

I Zartaj Anwar Advocate do, hereby solemnly affirm & declared on oath that the contents of the above application is true & correct to the best of my knowledge.



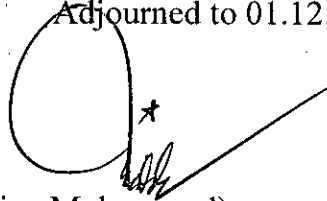
Zartaj Anwar
Advocate

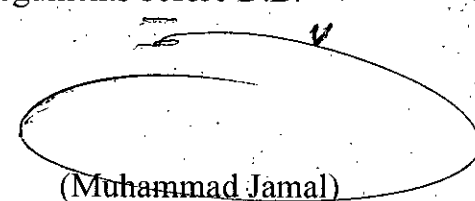
22.09.2020

Mr. Imran Khan, Advocate junior to counsel for the appellant is present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for respondents present.

The perusal of record reveals that appellant has not furnished Member copy. The appeal alongwith the allied document, he is directed to ensure availability of a copy and the documents on or before the next date of hearing. Junior to counsel requested that his senior counsel Mr. Zartaj Anwar, Advocate is busy before the Hon'able High Court, Peshawar. He requested for adjournment.


Adjourned to 01.12.2020 for arguments before D.B.


(Mian Muhammad)
Member (E)


(Muhammad Jamal)
Member(J)

01.12.2020

Due to pandemic of Covid-19, the case is adjourned to 12.02.2021 for the same as before.


Reader

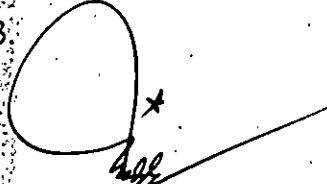
12.02.2020

Due to COVID-19, the case is adjourned for the same on 26.05.2021.


READER

13-02-2020

Clerk to counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney for respondents present. Clerk to counsel for the appellant seeks adjournment as learned counsel for the appellant was busy before the Peshawar High Court, Peshawar. Adjourned To come up for arguments on 31.03.2020 before D.B.


Member


Member


31-03-2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 26.06.2020 before D.B.


Reader

26-06-2020


Due to public holiday on account of COVID-19, the case is adjourned for the same on 22.09.2020 before D.B.


Reader

25.07.2019

Clerk of counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Clerk of counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy before the Hon'ble Peshawar High Court, Peshawar. Adjourned to 21.10.2019 for arguments before D.B.


(HUSSAIN SHAH)
MEMBER


(M. AMIN KHAN KUNDI)
MEMBER

21.10.2019

Due to general strike on the call of Khyber Pakhtunkhwa Bar Council learned counsel for the appellant is not in attendance. Mr. Zia Ullah learned Deputy District Attorney for the respondents present Adjourned. To come up for arguments on 13.12.2019 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

13.12.2019

Lawyers are on strike as per the decision of All Pakistan Joint Lawyers Action Committee. Adjourn. To come up for further proceedings/arguments on 13.02.2020 before D.B

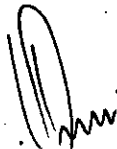

Member


Member

04.2.2019

Counsel for the appellant and Addl. AG alongwith Arshad Ali, ADO for the respondents present.

Representative of respondents requests for adjournment as requisite reply has though been prepared but is yet to be signed by the respondents. Adjourned to 27.03.2019 on which date the reply shall positively be submitted.


Chairman

27.03.2019

Clerk to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Hayat AD present. Representative of the respondent department submitted written reply/comments. Adjourn. To come up for rejoinder/arguments on 31.05.2019 before D.B


Member

31.05.2019

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 25.07.2019 before D.B.


Member


Member

10.12.2018

Counsel for the appellant Aftab Jehan present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Education Department as SST, she was promoted to the post of Headmistress BPS-17 to the Government Girls High School Ambadher District Charsadda vide order dated 17.03.2016. It was further contended that the appellant went to the said school for her arrival but one Mst. Saima was performing her duty as Headmistress in the said school and still the said Saima is performing duty as Headmistress in the said school. It was further contended that the appellant made application/departmental representation to the Director E&SE Peshawar for her posting as Headmistress but the same was not responded hence, the present service appeal. It was further contended that since the appellant has been promoted by the competent authority as Headmistress BPS-17 but she is performing her duties still as SST so far therefore, the official respondents are bound to transfer her to the post of Headmistress. It was further contended that the husband of the appellant is serving in Peshawar therefore, on the basis of spouse policy the appellant is entitled to serve as Headmistress in Peshawar.

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 04.02.2019 before S.B.

Appellant Deposited
Security & Process Fee


Muhammad Amin Khan Kundi
Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1195/2018


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/09/2018	<p>The appeal of Mst. Aftab Jehan resubmitted today by Mr. Zartaj Anwar Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 26/9/18</p>
2-	27-9-2018 23-10-18	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>23-10-2018</u></p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p> <p><i>Due to Retirement of Honorable chairman the Tribunal is non functional therefore the case is adjourned to come up for the same on 10-12-2018</i></p> <p style="text-align: right;"><i>[Signature]</i> Registrar</p>

The appeal of Mst. Aftab Jehan D/o Qamar Ali SST GGHS Islamia Collagiate Peshawar received today i.e. on 13.06.2018 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellatant.
- 2- Annexure-A of the appeal is illegible which may be replaced by legible/better one.
- ③ Copies of impugned order and departmental appeal against it are not attached with the appeal which may be placed on it.

No. 1224 /S.T.

Dt. 13/06 /2018.


REGISTRAR 13/6/18
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Zartaj Anwar Adv. Pesh.

objection no 3: Sir ~~we~~ we approached this Hon'able
on the direction of Hon'able Peshawar
High Court Peshawar, copy of the
judgment is placed on file.



Returned again with the direction
to address the officer objection within
7 days.


25/4/18

Sir
Departmental Appeal is attached Page 13 annexure
is a PPD Place put to the court



Sir,

The objection of this office and reply
of counsel for the appellant is sub-itted
for order please.

28/9/10

Humble
Chairman.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

Appeal No. 1195/2017

Mst Aftab Jehan D/o Qamar Ali, SST, GGHS, islamia Collagiate
Peshawar.

(Appellant)

VERSUS

Govt of Khyber Pakhtunkhwa through Chief Secretary Khyber
Pakhtunkhwa, Civil Secretariat Peshawar and others.


(Respondents)

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	Copy of application dated 25.04.2017	'D'	13
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4765 Jehan
Appellant

Through


ZARTAJ ANWAR
Advocate, Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1049

Dated 13/06/2018

Appeal No. 1195 /2018

Mst Aftab Jehan D/o Qamar Ali, SST, GGHS, islamia Collagiate
Peshawar.

(Appellant)

VERSUS

1. Govt of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat Peshawar.
2. Secretary Elementary and Secondary Education to Govt of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
3. Director ~~General~~ Education ~~(ESEI)~~, G.T road, Khyber Pakhtunkhwa, Peshawar.

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 where by the appellant was promoted to the post of Headmistress BPS 17 vide order dated 17-03-2017, but quit illegally not adjusting her on the post of headmistress BPS 17, against which the writ petition filled by the appellant, where as directions were given to decide the departmental appeal of the appellant as soon as possible, which is still undecided after elapse of 90 days, so far.

Prayer in Appeal:

Filed to-day

Registrar

13/6/18

On acceptance of this appeal where by the appellant was rightly promoted to the post of Head mistress BPS 17, vide order dated 17.03.2016 , But not adjusted against the posts requested by the petitioner under the spouse policy, and quite illegally the appellant was retain on the same post of SST and not posting her to the post of Headmistress BPS 17, Further more the respondent may also be directed to post the appellant against the post of Headmistress BPS 17 and denial of the same to the appellant is against the law, rules and Fundamental rights secured and guaranteed under the constitution of Islamic republic of Pakistan

OR

Any other remedy deems proper may also be allowed.

RESPECTFULLY SUBMITTED:

1. That the appellant was initially appointed in the Education Department on 24.05.1995.(Copy of appointment letter is attached as annexure A.)
2. That the appellant performed her duty honestly and with full devotion and during her service the appellant was transferred to different schools in District Peshawar.
3. That the appellant was promoted to BS 17 vide notification no SO(PE)/2-6/DCP meeting Dated 17.03.2016 but astonishingly the appellant was upon promotion transferred to GGHS Ambadher a for flung area of District Charsadda. (Copy of notification is attached as annexure B).
4. That the appellant husband is serving in the Pakistan Forest Institute (PFI) at University of Peshawar and all the children of the appellant are studying in the University Campus at Peshawar, moreover the appellant being an old age lady having multiple diseases, particularly patient Asthma.
5. That the appellant approached the respondents who told that she should search vacant post in District Peshawar for her transfer and thereafter she would be transferred to that School.
6. That the appellant filed application to the respondents, that the appellant may be posted to the vacant posted in GGHS Phase III Hayatabad Peshawar as the same post is vacant but was never responded by the respondents. (Copy of the application is attached as annexure C)
7. That again the appellant filed application for her transfer to the GGHS Cantt 1 Peshawar as the post of Headmistress is

lying vacant in the that school.(copy of application dated 25.04.2017 is attached as annexure D)

8. That the respondents have already filled the post of appellant by transferring another Headmistress namely Miss Saima to GGHS Ambadher District Charsadda where she still performing her duties as Headmistress.
9. That now the respondents are nether transferring the appellant to GGHS Cantt 1 Peshawar or any other school at District Peshawar nor giving the promotion along with benefits, which is illegal, unlawful, against the law and not considering the appellant in BPS 17 as being fit and eligible for the said post, approaches this Hon;able Tribunal inter alia on the following grounds:

GROUND OF PETITION:

- A. That the appellant has not been treated in accordance with law his rights secured and granted under the law are badly violated.
- B. That the appellant husband is serving in the Pakistan Forest Institute (PFI) at University of Peshawar and all the children of the appellant are studying in the University Campus at Peshawar, moreover the appellant being an old age lady having multiple diseases, particularly patient Asthma.
- C. That since similarly placed employees has been given promotion and were adjusted in district Peshawar while the appellant has been denied the same which is highly discriminatory and also against the law.
- D. That the appellant husband is serving in the Pakistan Forest Institute (PFI) at University of Peshawar and all the children

of the appellant are studying in the University Campus at Peshawar therefore impugned transfer order is illegal, unlawful, without lawful authority and passed without jurisdiction, in violation of posting transfer policy/ spouse policy.

- E. That the appellant seeks the permission of this Honourable tribunal to rely on additional grounds at the hearing of this appeal.

It is therefore prayed that On acceptance of this appeal the appellant may kindly be considered for promotion to BPS 19 as fit and eligible for the post and if any delay that on the part of respondents, the appellant may also awarded all the arrears and back benefits as from dated of promotion vide order dated 25-04-2014 as his colleague / juniors were promoted to BPS 18

OR

Any other remedy deem proper may also be allowed/granted.

A9L9/b Jehen
Appellant

Through


ZARTAJ ANWAR

&


MUBARAK ZEB

Advocates, Peshawar

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

Appeal No. _____/2017

Mst Aftab Jehan D/o Qamar Ali, SST, GGHS, islamia Collagiate
Peshawar.

(Appellant)

VERSUS

Govt of Khyber Pakhtunkhwa through Chief Secretary Khyber
Pakhtunkhwa, Civil Secretariat Peshawar and others.

(Respondents)

Addresses of Parties

Appellant

Mst Aftab Jehan D/o Qamar Ali, SST, GGHS, islamia Collagiate
Peshawar.

Respondents:

1. Govt of Khyber Pakhtunkhwa through Chief Secretary Khyber
Pakhtunkhwa, Civil Secretariat Peshawar. *E&S*
2. Secretary to Govt of Khyber Pakhtunkhwa ~~Health~~ Department
Peshawar. *Education*
3. Director ~~General, Health~~ Service, ,Civil Secretariat, Khyber
Pakhtunkhwa, Civil Secretariat Peshawar.

Mst Aftab Jehan
Appellant

Through

Zartaj Anwar
ZARTAJ ANWAR
Advocate Peshawar

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

Appeal No. _____/2017

Mst Aftab Jehan D/o Qamar Ali, SST, GGHS, islamia Collagiate
Peshawar.

(Appellant)

VERSUS

Govt of Khyber Pakhtunkhwa through Chief Secretary Khyber
Pakhtunkhwa, Civil Secretariat Peshawar and others.

(Respondents)

AFFIDAVIT

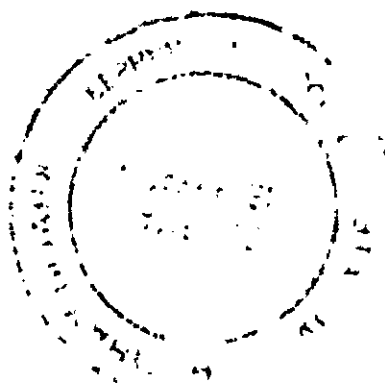
I, Mst Aftab Jehan D/o Qamar Ali, SST, GGHS, islamia
Collagiate Peshawar, do hereby solemnly affirm and declare
that the contents of the above appeal are true and correct to the
best of my knowledge and belief and that nothing has been
kept back or concealed from this Honourable Court.

Aftab Jehan
Deponent

Identified by: *Zartaj Anwar*

ZARTAJ ANWAR,
Advocate, Peshawar.





1954

Approved A 7

OFFICE OF THE DIRECTOR OF SECONDARY EDUCATION N.W.F.P. PESHAWAR.

NOTIFICATION

Consequent upon their election by the Departmental Selection Committee, the Director of Secondary Education NWFP, Peshawar has been pleased to appoint the following trained graduate candidates against SET posts at the School noted against each in W.P.S-16 (Rs: 2535-197-5450) plus usual allowances as admissible under the rules with immediate effect subject to the existing terms and conditions.

NAME AND ADDRESS	SCHOOL WHERE POSTED	REMARKS
Mst. Aftab Jehan M. D.D. D/P Qasim Ali Village & M.O Distt. Pajala Charsadda	Govt. Girls Middle School Bandaqal (Bajaur)	Against vacant SET post.

TERMS AND CONDITIONS.

- They will be governed by such rules and regulation as may be prescribed by the Govt. from time to time for the category of Govt. servant to which they belong.
- Their service will be liable to termination on one month notice from either side. In case of resignation with out notice one month pay will be forfeited in lieu of notice.
- They should join the posts within one month of the issue of this notification.
- Their inter-teniority will be determined in accordance with the merit of their service as determined by the Selection Committee.
- Charge report should be submitted to all concerned.
- They shall be on probation for a period of two years.
- Their original certificate/degrees should be checked and verified from the concerned university.
- The declaration of assets should be obtained from them and placed on record.
- Probation candidates should not be handed over charge if their age is less than or more than 30+(2 years Government relaxation).
- No TA/DA is allowed.
- They are required to produce Health and Age certificate from Medical authorities concerned, before taking over charge.

(SYED ABU SAEED SACHA)
DIRECTOR SECONDARY EDUCATION
N.W.F.P. PESHAWAR.

Dated Peshawar the 24/5/1995.

26/5/95

W.P.S-16/SET, apptt:-

- Copy forwarded for information to the-
Accountant General NWFP/Distt:Accounts Officer concerned.
Director of Education (PATA) (Primary) NWFP, Peshawar.
Divisional Director of Education (Schools) / Agency Education Officer Bajaur Agency
- Distt: Education Officer (File) Primary/Secondary concerned.
- Principal/Headmaster concerned.
Official concerned.

[Signature]
DEPUTY DIRECTOR SECONDARY
FOR DIRECTOR OF SECONDARY EDUCATION
N.W.F.P. PESHAWAR.

24/5/95

M. JAESAR.

Administrative Officer
Peshawar

APPROVED
[Signature]

OFFICE OF THE DIRECTOR OF SECONDARY EDUCATION N.W.F.P. PESHAWAR

NOTIFICATION

Consequent upon their election by the Departmental Selection Committee, the Director of Secondary Education NWFP, Peshawar has been pleased to appoint the following trained graduate candidates against the posts of the School noted against each BPS-16 (Rs.2535-197-5450) plus usual allowances as admissible under the rules with immediate effect subject to the ensuing terms and conditions:

S.No.	NAME AND ADDRESS	SCHOOL WHERE POSTED	Against Vacant SET Post.
	Mst. Aftab Jehan S/D Qamar Ali Village & P.O. Bara Quilla Charsaddah	Govt Girls School (Bajour)	

TERMS AND CONDITIONS.

They will be governed by such rules and regulation as may in prescribed by the Govt. from time to time for the category of Govt. servant in which they belong.

Their service will be liable to termination on one month notice from alternate. In case of resignation without notice one month pay will be forfeited in lieu.....

They should join the posts within one month of this notification. Their inter-presentation will be determined in acceptance with the merit of Selection Committee.

Charge Report should be joint the submitted to all concerned. They should be on probation for a period for a two years. Their original certificates/degrees should be checked and verified from a concerned university.

The declaration of assets should be obtained from them and placed on record. Fresh candidates should not be checked and verified handed over charge if their age is less than 25 years.

No TA DA will be allowed.

Their age required be produce Health and Age Certificate from Medical Authorities concerned, before taking over charge,

(SYED ABU SALEEM BACHA)
DIRECTOR, SECONDARY EDUCATION
N.W.F.P. PESHAWAR.

No.2648/3700 SET/Appl.

Copy forwarded for information to that-

Accountant General NWFP/Distt. Accounts Officer concerned.
Director of Education (FATA) (Primary NWFP Peshawar.

Agency Education Officer Bajour Agency.

Distt. Education Officer as Primary/Secondary concerned.

Principal / Headmaster concerned.

Official concerned.

(DEPUTY DIRECTOR SECONDARY
FOR DIRECTOR OF EDUCATION
N.W.F.P. PESHAWAR.

Abuseem



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Dated Peshawar the 17-03-2016

Amir B 8

NOTIFICATION

No. SO(PE)/2-6/DPC Meeting (13/10/2015). On the recommendations of the Departmental Promotion Committee, the Competent Authority is pleased to promote the following Two Hundred and Thirty One (231) Female SSTs (BS-16) to the post of Head Mistresses (BS-17) on regular basis with immediate effect :-

Sr	Serial No.	Name of Officer and School Address	Proposed place of Posting	Remarks
1	3	Musarat Shehnaaz BA SET I (Bed D/O Meboob Habi GGMS Adczai Peshawar	H/M B-17 GGHS Daman Afghani Peshawar	Against vacant post
2	66	Badri Haram, SET, MA, SET I (BED, D/O PANDA MUHAMMAD GGMS Gogdara Swat	H/M B-17 GGHS Gogdara Swat	Against vacant post
3	72	Sajida Perveen MA SET BED D/O Abdur-Rehman GGMS Dhak Haripur	H/M B-17 GGHS Nala Soha Haripur	Against vacant post
4	75	Sameena Bibi MSc Bed D/O Mumtaz Khan SET GGHSS Hayatabad Peshawar	H/M B-17 GGHS Shah Kot Nowshera	Against vacant post
5	78	Nahed Akhter BA BED D/O Fazal Rahim GGCMS Noutia Jaded Peshawar	H/M B-17 GGHS Mera Kachori Peshawar	Against vacant post
6	92	Abida Jabeen SET D/O Q. Fazale Qadus BA Bed GGHSS Hayatabad Peshawar	H/M B-17 GGHS Khattak Nowshera	Against vacant post
7	94	Shaheen Tabasum SET D/O Shakoer Ahmad BA Bed GGHS No.1 Kohat	H/M B-17 GGHS Merozai Kohat	Against vacant post
8	98	Bushra Bibi SET D/O Karam Habi BA Bed SET GGHS Gandian Manshera	H/M B-17 GGHS Parhinna Manshera	Against vacant post
9	99	Nasim Akhter SET D/O Muhammad Ayub Khan BA Bed SET GGMS Tarnab Charsadda	H/M B-17 GGHS Battagram Charsadda	Against vacant post
10	101	Shaheen Akhter SET D/O Fiaz Khan BA Bed SET GGHS Badrashi NSR	H/M B-17 GGHS Nizam Pur Nowshera	Against vacant post
11	107	Yasmeen Bibi SET D/O Ajab Khan BA Bed GGMS Murad Abad Haripur	H/M B-17 GGHS Kalinjar Haripur	Against vacant post
12	109	Secina Naz SET D/O Ahmad Yar Khan BA Bed SET GGHS No.3 D.I. Khan.	H/M B-17 GGHS Nar Azad Kando Khel Lakki	Against vacant post
13	114	Rizwana Shaheen SET D/O Abdul Aziz BA Bed SET GGHS Kahal Haripur	H/M B-17 GGHS Aloli Haripur	Against vacant post
14	115	Chaman Ara SET D/O Shah Zaman BA Bed SET GGHSS Paharpur D.I. Khan	H/M B-17 GGHS Tajori Lakki Marwat	Against vacant post
15	116	Amina Durrani SET D/O Ibrar Ahmad BA Bed SET (Science) GGHS Yaka Toot Peshawar	H/M B-17 GGHS Sheikho Sardheri Charsadda	Against vacant post
16	117	Bibi Tasleem SET D/O Abdur Razaq BA Bed SET GGHSS University Town Peshawar	H/M B-17 GGHS Aza Khel Peshawar	Against vacant post
17	118	Shaheen Begum SET D/O Muhammad Israr BA Bed SET GGHS Dheri Malakand	H/M B-17 GGHS Tawda China Dir Lower	Against vacant post
18	119	Sadia Wali SET D/O Saif ur Rehman BA Bed SET GGHSS No.2 Peshawar Cantt.	H/M B-17 GGHS Shagi Hala, Peshawar.	Against vacant post
19	123	Nasreen SET D/O Sher Malik BA Bed SET GGCMS Tiama Malakand	H/M B-17 GGHS Hasban Dir Lower	Against vacant post
20	124	Zubada Khanum SET D/O Noor Nawaz BA Bed SET GGCMS Muz Chitral	H/M B-17 GGHS Shughore Chitral	Against vacant post

Rasimha

ATTESTED

[Signature]

ATTESTED

Handwritten signature

135	308	Najma Begum, SET, BA, BEd D/O	H/M B-17 GCHS Kola Barmol	Mardan	Against vacant post
136	309	Ajla Rehman, SET, MSc BEd D/O Fazl	H/M B-17 GCHS Dhanda Kholhan	Manshera	Against vacant post
137	311	Elizbeth James, SET, MA BEd D/O	H/M B-17 GCHS Banara A/Abad	Mardan	Against vacant post
138	312	Husna, SET, BA/BEd D/O Sher Ah	H/M B-17 GCHS Zendo Dohri	Mardan	Against vacant post
139	313	Taba Tawana Begum, SET, BA BEd D/O	H/M B-17 GCHS Service placed at the disposal of Director Edn FATA Agency		Against vacant post
140	315	Farda Kanwer, SET, BA BEd D/O	H/M B-17 GCHS Pedonay Mkd		Against vacant post
141	316	Fozia Mumtaz, SET, BA BEd D/O	H/M B-17 GCHS Budia A/Abad		Against vacant post
142	317	Zahida Jabeen, SET, BSc, BEd D/O	H/M B-17 GCHS Kotka Feroz		Against vacant post
143	318	Tabassum Naz, SET, MA BEd D/O	H/M B-17 GCHS Malik Sher		Against vacant post
144	319	Wasim Nazki, SET, MA/BEd D/O	H/M B-17 GCHS Bahmani Mardan		Against vacant post
145	320	Zahoor Begum, SET, BSc, BEd D/O	H/M B-17 GCHS Jalsai Swabi		Against vacant post
146	321	Kozina Bashir, BSc, BEd D/O Bashir	H/M B-17 GCHS Ghorezai Kohat		Against vacant post
147	322	Sumaira Feroqi, SET, BA BEd D/O	H/M B-17 GCHS Ahmad Khel		Against vacant post
148	323	Hasswar Jan SET, BA, BEd D/O Mihar	H/M B-17 GCHS Kotka Daulai		Against vacant post
149	324	Samina Naz, SET, BA, BEd D/O	H/M B-17 GCHS Ganol Manshera		Against vacant post
150	325	Hussain Bukhari MA, BEd D/O	H/M B-17 GCHS Jantroz Khan		Against vacant post
151	326	Tahida Begum, SET, BA/BEd D/O	H/M B-17 GCHS Machai Mardan		Against vacant post
152	328	Zubaida Begum, SET, MA, BEd D/O	H/M B-17 GCHS Par Hou Mardan		Against vacant post
153	329	Shaukat Nasreen, SET, MA BEd D/O	H/M B-17 GCHS Dado Kilay		Against vacant post
154	330	Sarwat Fazal, SET, MA, BEd D/O Fazl	H/M B-17 GCHS Sushani Swat		Against vacant post
155	332	Ahmad Jehan, SET, MA, BEd D/O Qambar	H/M B-17 GCHS Ambdher		Against vacant post
156	333	Musarrat Nazki, SET, BA BEd GOMS	H/M B-17 GCHS Malook Abad		Against vacant post
157	334	Jehan Ara Syed, SET, MA, BEd D/O	H/M B-17 GCHS Khurram Karak		Against vacant post
158	335	Najam Nisa SST, GCHS Hou No. 2	H/M B-17 GCHS Taba Kilay		Against vacant post
159	147	Sahar Hameed, SET, BA/BEd D/O Rizal	H/M B-17 GCHS Fouzi Malakand		Against vacant post
160	338	Wah GCHS, Khatkhat Malakand	H/M B-17 GCHS Shapur Swat		Against vacant post
161	149	Mi Noori Haq GCHS, Jono Swat	H/M B-17 GCHS Mangloor		Against vacant post
162	340	Taskeen Begum, SET, BA BEd D/O	H/M B-17 GCHS Agra Malakand		Against vacant post

225	428	Najias Khatron, SET, BSc, Hissa D.I Khan	GGHS	H/M B-17 GGHS Ganda Khan Khel Lakki	Against vacant post
226	430	Naz Perwar, SET, MA BEd Shah Prang ghar Mohamand Agency.	GGMS	H/M B-17 Service placed at the disposal of Director Edu: FATA	Against vacant post
227	431	Rozina Imtiaz, SET, Bsc BEd Naivela D.I Khan	GGHS	H/M B-17 GGHS Deli Mela Karak	Against vacant post
228	433	Mussarat Jehan, SET, MA BEd Bughdada No 7 Mardan	GGHSS	H/M B-17 GGHS Mian Khan Mardan	Against vacant post
229	435	Yasmin Begum, SET, BA BEd Shazaram Khan GGMS Manyal Dir	GGMS	H/M B-17 GGHS Manyal Dir Lower	Against vacant post
230	436	Fazilat SET, BA Bed GGMS Swat	GGMS	H/M B-17 GGHS Koza Bandar Swat	Against vacant post
231	439	Gul Nasteen, SET, MSc BEd Bagra Haripur	GGHS	H/M B-17 GGHS Battal Manschra	Against vacant post

Consequential Posting/Transfer

232	Bushra Begum Besud Nowshera	H/M B-17 GGHS Dag	H/M B-17 GGHS Aza Khel Bala Nowshera	Against vacant post
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2. On their promotion, the Head Mistresses concerned will be on probation for a period of one year in terms of Section 6(2) of NWFP Civil Servant Act, 1973 read with Rule 15(1) of the NWFP Civil Servant (Appointment, Promotion & Transfer) Rules, 1989.

3. No TA / DA allowed.

Encls. No. & date as above.

SECRETARY

Copy to:

1. The Additional Chief Secretary (FATA), FATA Secretariat Warsak Road Peshawar.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
4. The Accountant General Khyber Pakhtunkhwa, Peshawar.
5. PSC to Chief Secretary to Govt. of Khyber, Pakhtunkhwa.
6. The Director (E&SE) Khyber Pakhtunkhwa Peshawar.
7. The Director Education FATA, Warsak Road, Peshawar.
8. The Director Curriculum & Teachers Education, Abbottabad
9. The Director ESRU, Khyber Pakhtunkhwa
10. The Deputy Director (EMIS), E&SE Department, with the request to upload the notification of E&SE Department website
11. The District Education Officers, Elementary & Secondary Education concerned
12. The District Account Officers concerned
13. PS to Secretary E&SE Department.
14. Headmistress/SS concerned
15. Office File.

SECTION OFFICER PRIMARY

ATTESTED

9

The Director,
Secondary School Education,
Peshawar.

APR 12 2011 C 11

SUBJECT: REQUEST FOR POSTING TO GOVERNMENT GIRLS HIGH SCHOOL,
PHASE-III HAYATABAD, PESHAWAR

R/Sir,

Respectfully it is submitted in your honour that I am performing my duty as SST in Government Girls High School Islamia Collegiate, University Campus, Peshawar. I have been promoted to the post of Headmistress and posted at Government Girls High School, Amba Dair, District Charsadda. In this regard, I submit the following:

1. That i am residing with my family at Pakistan Forest institute Colony, University Campus, Peshawar.
2. That my husband is a Government Servant at Pakistan Forest Institute (PFI), Peshawar (service certificate enclosed), which has already been provided in education office.
3. That under spouse policy, I am entitled to be posted in same station, where my husband is posted.
4. That my children are school going child and under education in University Campus, Peshawar.
5. That i am patient of Asthma and facing problem in long travel.
6. That being patient as mentioned above, I am unable to perform duty at Government Girls High School, Amba Dair, District Charsadda, due to long distance between University Campus, Peshawar, and Government Girls High School, Amba Dair, District Charsadda.

In view of the above facts, it is humbly requested that I may kindly be posted at Government Girls High School, Phase-III, Hayatabad, Peshawar.

Yours obediently,

Aftab Jehan

AFTAB JEHAN,
SST, GGHS, Islamia Collegiate,
University Campus, Peshawar.

Approved for
posting please
X
05/4/16

ATTESTED

To

The Director
Elementary & Secondary Education
Peshawar

Subject: REQUEST FOR POSTING TO GOVERNMENT GIRLS HIGH
SCHOOL CANTT-I PESHAWAR

Respected Sir,

Respectfully it is submitted in your honour that I am performing my duties as SST/SET in Government Girls High School Islamia Collegiate, University Campus, Peshawar. I have been promoted to the post of Headmistress and posted at GGHS Amba Dair Distt. Charsadda. In this regard I submit the following:

1. That I am residing with my family at Pakistan Forest Institute Colony, inside University Campus Peshawar.
2. That my husband is a Government servant at Pakistan Forest Institute (PFI); Peshawar.
3. That under spouse policy I am entitled to be posted in same station, where my husband is posted.
4. That my children are under education in University Campus Peshawar.
5. That I am patient of Asthma and facing problems in long travelling.
6. That being patient of Asthma I am unable to perform duty at GGHS Amba Dair District Charsadda, due to long distance travelling between University Campus Peshawar and GGHS Amba Dair, Charsadda.
7. That a post of Headmistress is lying vacant at GGHS Cantt-I Peshawar.
8. That I have previously submitted application for the purpose but no action was taken so far (copy enclosed).
9. That I am M.A / M.Ed.

In view of the above, it is humbly requested that I may kindly be posted against the post at GGHS Cantt - I, Peshawar.

Yours obediently,

Mst. Aftab Jehan

Mst. AFTAB JEHAN
D/o Qamar Ali,
GGHS, Islamia Collegiate,
University Campus Peshawar

ATTESTED

To

The Director
Elementary & Secondary Education
Peshawar

Subject: **REQUEST FOR POSTING TO GOVERNMENT GIRLS HIGH SCHOOL
CANTT- I PESHAWAR/ ANY OTHER SCHOOL IN PESHAWAR CITY.**

Respected Sir,

Respectfully it is submitted in your honour that I am performing my duties as SST/SET in Government Girls High School Islamia Collegiate, University Campus, Peshawar. I have been promoted to the post of Headmistress and posted at Charsadda. In this regard I submit the following:

1. That I am residing with my family at Pakistan Forest Institute Colony, inside University Campus Peshawar.
2. That my husband is a Government servant at Pakistan Forest Institute (PFI), Peshawar (copy of certificate enclosed)
3. That under spouse policy I am entitled to be posted in same station, where my husband is posted.
4. That my children are under education in University Campus Peshawar.
5. That I am patient of Asthma and facing problems in long travelling.
6. That being patient of Asthma I am unable to perform duty at GGHS Amba Dair District Charsadda, due to long distance travelling between University Campus Peshawar and GGHS Amba Dair, Charsadda.
7. That a post of Headmistress is lying vacant at GGHS Cantt-I, Peshawar due to the death of ex-Headmistress.
8. That I have previously submitted applications duly recommended by the concerned MPA, one on dated 05-04-2016 and the other dated 21-02-2017 (copies enclosed). My adjustment case is in process for the last of one year ; but no action was taken so far. Now I am going to be disappointed as I have not been adjusted in Peshawar, till date.
9. My qualification is B.Ed. and M.Ed. degree alongwith MPA (Master of Public Administration).

In view of the above, it is humbly requested that I may kindly be posted against the post at GGHS Cantt – I Peshawar or any other school within Peshawar city.

Yours obediently,

Mst. AFTAB JEHAN
D/o Qamar Ali

GGHS, Islamia Collegiate,
University Campus Peshawar

25/4/17

1679
25/4/17
Talal Ahmed

PRESENTED
25/4/17

Other documents

14



GOVERNMENT OF KHYBER PAKHTUNKHWA
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT
PAKISTAN FOREST INSTITUTE, PESHAWAR

Ph: +92 91 9216123, Fax: +92 91 9216203



No. 224 /F.I(Per)-Estt

Dated 15th February, 2017

SERVICE CERTIFICATE

This is to certify that Mr. Yousaf Shah is performing duties as Administrative Officer (BS-17), in Pakistan Forest Institute, Peshawar. This Institute is under the Administrative control of Forestry, Environment & Wildlife Department, Government of Khyber Pakhtunkhwa, Peshawar. The officer is residing in bungalow No. D-3, PFI Colony, University Campus, Peshawar.

Administrative Officer (G)

Administrative Officer
Pakistan Forest Institute

ATTESTED

other document

15



University of Peshawar

Pakistan

This certifies that

Aftab Jehan daughter of **Qamar Ali**

having fulfilled all the requirements is hereby admitted to the degree of

Master of Education

and is entitled to all the rights, honors and privileges thereunto appertaining.

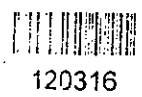
Given this 19th day of February, 2003.

ATTESTED

Roll No: 1

Session: Annual 2002

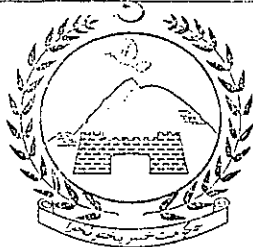
Reg. No: 2000-EDU-821



Aftab Jehan
Principal
Govt. Girls High School
Islamia Collegiate, Peshawar

[Signature]
Registrar

[Signature]
Vice Chancellor



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)**

POSTING/TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT¹

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posing/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) ¹Existing tenure of posting/transfer of three (03) years for settled areas and two (02) years for unattractive/hard areas shall be reduced to two (02) years for settled areas, 01½ years for unattractive areas and one year for hard areas. (See Po as retained)
- v) ²{ } 2 years tenure retained vide P-06 for un-attractive/hard areas
- (vi) ³"While making posting/transfers of officers/officials up to BS-17 from settled areas to FATA and vice versa approval of the Chief Secretary, Khyber Pakhtunkhwa needs to be obtained. Save Tehsildars/Naib Tehsildars within a division in respect of whom the concerned Commissioner will exercise the same power. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor, Khyber Pakhtunkhwa shall be obtained."

Provided that the power to transfer Political Tehsildars and Political Naib Tehsildars within FATA between different divisions shall rest in Additional Chief Secretary FATA.

- vi (a)¹ All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.

¹ Circular letter No. SOR-VI/E&AD/1-4/2008/Vol-VII dated, the 11th September, 2009
Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-3-2008. Consequently authorities competent under the Khyber Pakhtunkhwa Government Rules of Business, 1985, District Government Rules of Business 2001. Posting/Transfer Policy and other rules for the time being in force, allowed to make Posting/Transfer subject to observance of the policy and rules.

Para-VI added vide circular letter No. SOR-VI/E&AD/1-4/2010/Vol-VIII dated 20th March, 2010.
Sub para-VI (a) added vide circular letter No. SOR-VI/E&AD/1-4/2008 dated 22nd October, 2008.

ATTESTED

- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.
- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement

¹DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;

- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the Khyber PakhtunKwha Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column2 thereof:

Outside the Secretariat		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers:	
	a) Within the Same Department	Secretary of the Department concerned.
	b) Within the Secretariat from one Department to another.	Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent:	
	a) Within the same Department	Secretary of the Department concerned.

¹ Added vide Urdu circular letter No: SOR-VI (E&AD)/1-4/2005, dated 9-9-2005

ATTESTED

b) To and from an Attached Department	Secretary of the Department in consultation with Head of Attached Department concerned.
c) Within the Secretariat from one Department to another	Secretary (Establishment)

xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:

a) To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered.

b) ✓ Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

xiv) Government servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.

i) ✓ Pre-mature posing/transfer or posting transfer in violation of the provisions of this policy.

ii) Serious and grave personal (humanitarian) grounds.

2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North West Frontier Province District Government Rules of Business 2001 read with schedule - IV thereof is referred. As per schedule-IV the posting/transferring authorities for the officers/officials shown against each are as under:-

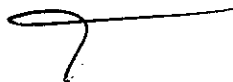
S. No.	Officers	Authority
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government.
2.	Posting of District Police Officer.	Provincial Government
3.	Other Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed /implemented.

ATTESTED



Updated up to April, 2010.

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✓ All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.

{Authority: Letter No: SOR-VI/E&AD/1-4/2003 dated 24-6-2003.

✓ It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications.

SPECIMEN NOTIFICATION.

**GOVERNMENT OF KHYBER PAKHTUNKHWA
NAME OF ADMINISTRATIVE
DEPARTMENT**

Dated Peshawar, _____

NOTIFICATION

NO. The Competent Authority is pleased to order the transfer of Mr. _____ Department and to post him as _____ in the interest of public service, with immediate effect.

**CHIEF SECREARY
GOVERNMENT OF KHYBER PAKHTUNKHWA**

Endst. No. and date even.
Copy forwarded

- 1.
- 2.
- 3.
- 4.

(NAME)
**SECTION OFFICER
Administrative Department**

{Authority: Letter No. SO (E-I) E&AD/9-12/2006 dated 22-12-2006}.

The competent authority has been pleased to direct that Para 1(v) of the Posting/Transfer Policy contained in this Department letter No:SOR-I (E&AD) 1-1/85 Vol-II, dated 15-2-2003 shall stand deleted, with immediate effect, consequently allowing the authorities, competent under the Khyber Pakhtunkhwa Government Rules of Business, 1985 and the District Government Rules of Business, 2001 or any other rules for the time being in force, to make posting/transfers of Government servants, any time during the year, in genuine, deserving and necessary cases, in public interest.

subject to strict observance of all other provisions of posting/transfer policy contained and notified vide circular letter under reference. Hence there will be no ban on posting/transfer of Government Servants in any part of the year while carrying out postings/transfers of Government Servants.

✓ The authorities concerned will ensure that no injustice whatsoever is caused to any civil servant, public work is not suffered and service delivery is improved.

✓ I am therefore directed to request that the provisions of posting/transfer policy, as amended to the extent above, may kindly be followed in letter and spirit in future so as to keep good governance standard in this regard.

{Authority: Letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008.

According to the policy of the provincial Government, maximum tenure on a post is three years. Contrary to the Policy, Store Keepers, Cashiers, Accountants and other ministerial staff remains posted in their particular field for long time, which may result in misuse of this position, due to which not only public exchequer may sustain loss but general public also suffers. The Provincial Government has taken serious notice of this situation & decided that all Administrative Secretaries and DCOs may submit a certificate within one month to the effect that above mentioned officials, having completed three years on their posts, have been adjusted on posts other than those they held previously.

{Authority: Urdu circular No: SOR-VI (E&AD)/05 dated 28th Oct, 2005.

The Chief Minister Khyber PakhtunKhwā has directed that:-

- i) Submission of summary would not be required in case of mutual transfer.
- ii) ✓ Posting/transfer shall be made according to the policy;
- iii) Government Servants shall avoid direct submission of applications to the Chief Minister;
- iv) In genuinely deserving case, they should approach the Administrative Secretaries who could process the case according to policy;
- v) In case of direct submission of application to the Chief Minister Secretariat for Posting/ Transfer, the concerned govt servants shall be proceeded against under the prevalent rules and regulations.

{Authority: Urdu circular No: SOR-VI/E&AD/1-4/2003, dated 8-6-2004 & Urdu Letter No: SOR-VI/E&AD/Misc: /2005, dated 3-1-2006.}

It has been decided with the approval of the competent authority that:-

- i) Mutual transfer would be allowed if both the concerned employees agree; except the Government Servants holding Administrative posts;
- ii) Khyber PakhtunKhwā Government Rules of Business 1985 shall be observed while issuing posting/transfer orders.

{Authority: - Urdu circular letter No: SOR (E&AD)/1-4/2005, dated 9-9-2005}.

The competent authority has decide that in order to maintain discipline, enhance performance of the departments and ensure optimum service delivery to the masses, the approved /prevalent policy of the posting/transfer shall be strictly followed. Government Servants violating the policy and the Khyber PakhtunKhwā Govt Servants (Conduct) Rules 1987 shall be proceeded against under the Khyber PakhtunKhwā Removal from Service (Special Powers) Ordinance 2000. As required under the Khyber PakhtunKhwā Govt Rules of Business 1985, the Administrative Secretaries shall ensure compliance with the policy and defaulting offices/officials be taken to task & entries to this effect

ATTESTED
Q

shall be made in their PERs/ACRs. In case subordinate officers are working on sites or proceeding for the purpose of inspection, they shall submit inspection Report to their Administrative Secretaries. Administrative Secretaries shall ensure submission of such reports.

{Authority:- Urdu circular No: SOR-VI (E&AD)/1-4/06, dated, 29-6-2007}.

⁶In continuation of this Department circular letter No.SOR-VI/E&AD/1-4/2008/Vol-VII dated 11th September, 2009, I am directed to refer to the subject and to say that the Provincial Cabinet in its meeting held on 30th March, 2010 inter-alia approved the following for the purpose of Posting/Transfer Policy:-

Unattractive/Hard Areas

1. ✓ The distinction between unattractive/hard areas should be done away with and both should be labeled as Unattractive areas. ✓
2. Existing list of FATA areas be retained.
3. The following areas were recommended/approved to constitute unattractive areas in NWFP:-

- a. Kohistan District.
- b. Tank District.
- c. Chitral District.
- d. Batgram District.
- e. Shangla District. ✓
- f. Hangu District.
- g. PATA areas of Mansehra (Kala Dhaka)

1) Tenure for settled area 03 yrs
2) unattractive area is 02 yrs
(P-I)

Tenure of posting.

- i. ✓ The erstwhile normal tenure of 2 years be retained. ✓
- ii. Existing tenure for unattractive areas be retained. However, in case of married civil servants, transfer should be made just at the beginning of school session and tenure should be one year instead of 1.5 year, so that academic disruptions are avoided.
- iii. At the time of entry in service, all civil servants be asked to give 4 options from unattractive areas.
- iv. After a stint of service in unattractive area, employees may be offered option to serve in district of choice.

7 PLACEMENT POLICY.

In order to utilize the expertise of the officers who have received foreign training in various fields, the provincial Government has decided to adopt the Placement Policy, approved by the Prime Minister of Pakistan, and make it a part of its Posting/Transfer Policy. Placement Policy is as follows:-

- i) All placements would be made on the basis of merit and keeping in view the needs of the organization.
- ii) The first priority in placement must go to the parent organization of the participant from where the individual had applied. This will be in

⁶ No. SOR-VI/E&AD/1-4/2010/Vol-VIII Dated Peshawar, the, 10th April, 2010
⁷ Placement Policy has been made part of the posting/transfer policy vide Urdu circular No.SOR-VI(E&AD)1-4/06, dt 9-2-2007

consonance with the concept of establishing the "Need" for the department and fulfilling the need through "capacity building for the organization.

- iii) In order to follow the "bottom up approach" for Devolution, the priority within departments must go to the Districts, the Provinces and than the Federal Government.
- iv) The second priority in placement should go to up-grading the existing training Institution within the country. The knowledge gained by the officers, will be of immense value to bring about a qualitative change in the training institutions. The following proposals are made in this regard:
 - a) Permanent posting of an officer to the training institutions for 2-3 years;
 - b) Temporary attachment with the training intuitions for 3 to 6 months for some research project on helping in developing case studies;
 - c) Earmarked as a visiting faculty member for specific subject.
- v) Individuals posted to their parent organizations will also organize training for their subordinates within the department, in order to transfer the knowledge and bring about a qualitative change internally;
- vi) ✓ The Normal tenure of posting as already provided in the policy would be ensured;
- vii) No participant should be allowed to be posted on deputation to multinational donor agencies for at least 5 years;
- viii) No participants will decline/represent against his/her posting.

ATTESTED


23
1
IN THE PESHAWAR HIGH COURT PESHAWAR

3257P
W. P No. /2017.

Mst Aftab Jehan D/o Qamar Ali, SST, GGHS, Islamia Collagiate
Peshawar.

(Petitioner)

VERSUS

1. Govt of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat Peshawar.
2. Secretary Elementary and Secondary Education to Govt of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
3. Director General, Education (Female), G.T road, Khyber Pakhtunkhwa, Peshawar.

(Respondents)

Prayer in Writ Petition:

On acceptance of this writ petition an appropriate writ may please be issued, declaring the petitioner fit and eligible for the post of Head mistress BPS 17, where by the petitioner was promoted to the post of Headmistress BPS 17 vide order dated 17.03.2016 , But not adjusted against the posts requested by the petitioner under the spouse policy, and quite illegally the petitioner was retain on the same post of SST and not posting her to the post of Headmistress BPS 17, Further more the respondent may also be directed to post the petitioner against the post of Headmistress BPS 17 and denial of the same to the petitioner is against the law, rules and Fundamental rights secured and guaranteed under the constitution of Islamic republic of Pakistan

or

any other remedy deemed proper may also be allowed.

RESPECTFULLY SUBMITTED:

1. That the petitioner was initially appointed in the Education Department on 24.05.1995. (Copy of appointment letter is attached as annexure A.)

FILED TODAY
Deputy Registrar

11 AUG 2017

ATTESTE
EXAMINER
Peshawar High Court
20 FEB 2018

ATTESTED

[Handwritten signature]

2. That the petitioner performed her duty honestly and with full devotion and during her service the petitioner was transferred to different schools in District Peshawar.
3. That the petitioner was promoted to BS 17 vide notification no SO(PE)/2-6/DCP, Dated 17.03.2016 but astonishingly the appellant was upon promotion transferred to GGHS Ambadher a for flung area of District Charsadda. (Copy of notification is attached as annexure B).
4. That the petitioner husband is serving in the Pakistan Forest Institute (PFI) at University of Peshawar and all the children of the appellant are studying in the University Campus at Peshawar, moreover the appellant being an old age lady having multiple diseases, particularly patient of Asthma.
5. That the petitioner approached the respondents who told that she should search vacant post in District Peshawar for her transfer and thereafter she would be posted/adjusted to that School.
6. That the petitioner filed different applications to the respondents, that the petitioner may be posted to the vacant post of Headmistress in GGHS Phase III Hayatabad Peshawar as the same post is vacant but was never responded by the respondents. (Copy of the application is attached as annexure C)
7. That again the Petitioner filed application for her transfer/posting to the GGHS Cantt 1 Peshawar as the post of Headmistress is lying vacant in the that school and the petitioner may be posted against the said post.(copy of application dated 25.04.2017 is attached as annexure D)
8. That the respondents have already filled the post of petitioner by transferring another Headmistress namely Miss Saima to GGHS Ambadher District Charsadda where she still performing her duties as Headmistress.

ATTESTED
 20 FEB 2018

FILED TODAY
 Deputy Registrar

11 AUG 2017

2

9. That now the respondents are neither transferring the petitioner to GGHS Cantt 1 Peshawar or any other school at District Peshawar nor giving the promotion along with benefits, which is illegal, unlawful, against the law and not considering the petitioner in BPS 17 as being fit and eligible for the said post, since the petitioner was denied posting against the post of Headmistress and was left with no other adequate and efficacious remedy available to her under the law is thus constrained to invoke the constitutional jurisdiction of this Honourable Court inter alia on the following grounds:

GROUND OF PETITION:

- A. That the petitioner has not been treated in accordance with law his rights secured and granted under the law are badly violated.
- B. That the Hon'ble tribunal has lack of jurisdiction to issue direction to the Respondents department to adjust/post the petitioner, in essence the civil servant seeking writ of mandamus which jurisdiction the service tribunal did not possess, Held in Judgment of Supreme Court of Pakistan titled Executive District Officers vs Qamar Dost Khan SCMR 2006 Page 1630.
- C. That the petitioner husband is serving in the Pakistan Forest Institute (PFI) at University of Peshawar and all the children of the appellant are studying in the University Campus at Peshawar, moreover the appellant being an old age lady having multiple diseases, particularly patient of Asthma.
- D. That since similarly placed employees has been given promotion and was adjusted in district Peshawar while the petitioner has been denied the same which is highly discriminatory and also against the law.
- E. That the petitioner husband is serving in the Pakistan Forest Institute (PFI) at University of Peshawar and all the children of the appellant are studying in the University Campus at Peshawar therefore impugned transfer order is illegal, unlawful, without lawful authority and passed without jurisdiction, in violation of posting transfer policy/ spouse policy.

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11 AUG 2017

ATTESTED

F. That the petitioner seeks the permission of this Honourable court to rely on additional grounds at the hearing of this petition.

It is therefore prayed that on acceptance of this writ petition an appropriate writ may please be issued in favour of petitioner and against the respondents

OR

Any other remedy deems proper may also be allowed/granted.

27 Feb
Petitioner

Through

Zartaj Anwar
ZARTAJ ANWAR

&

Mubarak Zeb
MUBARAK ZEB
Advocates, Peshawar

FILED TODAY
Deputy Registrar

11 AUG 2017

ATTESTED

EXAMINER
Peshawar High Court

20 FEB 2018

ATTESTED

[Signature]

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JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
(JUDICIAL DEPARTMENT)

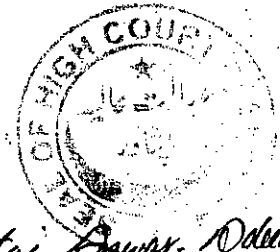
W. P. No. 3257-PI/2017

JUDGMENT.

Date of hearing: 13.02.2018.

Petitioner: Mst. Djalbchan) By:- Mr. Zoolaj Ahmad Odhwanie

Respondent: Gout.) By:- M. Iqbal Khan A.A.



WAOAR AHMAD SETH, J:- Through the instant

Writ Petition, petitioner has prayed for issuance of an appropriate writ with the following prayer:-

"On acceptance of this writ petition an appropriate writ may please be issued, declaring the petitioner fit and eligible for the post of Head Mistress BPS-17, whereby the petitioner was promoted to the post of Head Mistress BPS-17 vide order dated 17.03.2016, but not adjusted against the posts requested by the petitioner under the spouse policy, and quite illegally the petitioner was retain on the same post of SST and not posting her to the post of Headmistress BPS-17. Further more the respondent may also be directed to post the petitioner against the post of Headmistress BPS-17 and denial of the same to the petitioner is against the law, rules and Fundamental rights secured and guaranteed under the constitution of Islamic Republic of Pakistan."

2. Brief facts of the case are that initially, the petitioner was appointed against the post of S.E.T. vide order dated 24.05.1995 and later on, she was promoted to the post of Headmistress (BPS-17) and posted at GGHS Ambadher,

ATTESTED
EXAMINER
Peshawar High Court
20 FEB 2018

ATTESTED

District Charsadda vide Notification dated 17.03.2016. It is alleged that petitioner's husband is serving in the Pakistan Forest Institute (PFI) at University of Peshawar and she approached the respondents through applications for her posting as Headmistress in GGHS Phase-III, Hayatabad Peshawar or GGHS Cant-I, Peshawar in view of spouse policy and being patient of Asthma but no response was made. It is further alleged that the respondents have already filled the post of petitioner by transferring Ms. Saima to GGHS Ambadher, District Charsadda where she is still performing her duties as Headmistress. Hence, the instant Writ Petition.

3. Arguments heard and record perused.

4. Admittedly, the petitioner is a civil servant and her grievance relates to '*terms and conditions*' of service, the appropriate remedy for seeking her redressal, would surely be the Services Tribunal.

5. This Court is barred under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973 to take cognizance of any matter relating to '*terms and conditions*' of service of a civil servant. The Apex Court in Ali Azhar Khan Baloch's case (2015 SCMR 456), has again laid down that the issue relating to the '*terms and conditions*' of service cannot be entertained by a High Court either in its constitutional jurisdiction or in its original civil jurisdiction being barred under Article 212 of the Constitution.

ATTESTED

ATTESTED
EXAMINER
Peshawar High Court
20 FEB 2018

6. In view of the above, this Writ Petition being not maintainable is hereby dismissed. However, respondent No.3 is directed to decide the applications of petitioner annexed at page-12 & 13 of the Writ Petition as early as possible.

ANNOUNCED.
Dated: 13.02.2018

Chief Justice

Judge

=====

10555

No. 10555

Date of Presentation of Application 13.02.18

No. of Pages 12

Copy Fee 1000

Legal Fee 1000

Total 2000

Date of Receipt 13.02.18

Date of Disposal 13.02.18

Magistrate No. 10555

CERTIFIED TO BE TRUE COPY

Examiner
Peshawar High Court, Peshawar
Authorized Under Article 8.7 of
The Peshawar (Amendment) Order 1994

20 FEB 2018

REGISTERED

POWER OF ATTORNEY

In the Court of ICDK Service Tribunal Peshawar
Mt Aftab Jahan

} For
} Plaintiff
} Appellant
} Petitioner
} Complainant

VERSUS

Govt of ICDK w Oth

} Defendant
} Respondent
} Accused
}

Appeal/Revision/Suit/Application/Petition/Case No. _____ of _____
Fixed for _____

I/W, the undersigned, do hereby nominate and appoint

ZARTAJ ANWAR ADVOCATE, my true and lawful attorney, for me in my same and on my behalf to appear at _____ to appear, plead, act and answer in the above Court or any Court to which the business is transferred in the above matter and is agreed to sign and file petitions. An appeal, statements, accounts, exhibits. Compromise or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc, and to apply for and issue summons and other writs or sub-pocna and to apply for and get issued and arrest, attachment or other executions, warrants or order and to conduct any proceeding that may arise there out; and to apply for and receive payment of any or all sums or submit for the above matter to arbitration, and to employ any other Legal Practitioner authorizing him to exercise the power and authorizes hereby conferred on the Advocate wherever he may think fit to do so, any other lawyer may be appointed by my said counsel to conduct the case who shall have the same powers.

AND to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

AND I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

PROVIDED always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us

IN WITNESS whereof I/we have hereto signed at _____
the _____ day to _____ the year _____

Executant/Executants _____
Accepted subject to the terms regarding fee _____

Signature of Plaintiff

Signature of Zartaj Anwar
Zartaj Anwar

Signature of Aftab Jahan

Advocate High Courts
ADVOCATES, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT
PK-3-4, Fourth Floor, Dilour Plaza, Saddar Road, Peshawar Cantt
Ph.091-5272154 Mobile-0331-9399185

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**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.**

Service Appeal No: 1195/2018

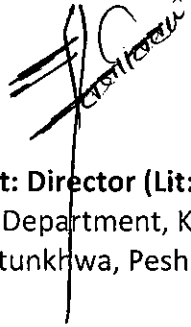
Mst: Aftab Jehan SST(G) GGHS Islamiya Colligate, Peshawar.Appellant.

VERSUS

Secretary (E&SE) Department, Khyber Pakhtunkhwa & others.Respondents

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2	Copy of Notification dated 24/5/1995	A	5-6
3	Copy of Notification dated 17/3/2016	B	7-9
4	Transfer & posting policy	C	10-16


Asstt: Director (Lit: II)
E&SE Department, Khyber
Pakhtunkhwa, Peshawar.

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BEFORE THE HONORABLE KHYBER PAKHATUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No: 1195/2018

Mst: Aftab Jehan SST(G) GGHS Islamiya Colligate, Peshawar.Appellant.

VERSUS

Secretary (E&SE)Department, Khyber Pakhtunkhwa & others.Respondents

PARAWISE COMMENTS ON& FOR BEHALF OF RESPONDENTS No:1-3.

Respectfully Sheweth :-

The Respondents submit as under:-

Preliminary Objections.

- 1 That the Appellant has got no cause of action/locus standi.
- 2 That the instant Service Appeal is badly time barred.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal in the instant service appeal.
- 4 That the instant Service Appeal is based on mala-fide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That the Appellant is not entitled for the relief she has sought from this Honorable Tribunal.
- 7 That the instant Service Appeal is against the prevailing law & rules.
- 8 That the instant Appeal is based on mala fide intentions just to put extra pressure on the Respondents for gaining illegal service benefits for the grant of promotion against the Headmistress (BPS-17) Post.
- 9 That the instant Service Appeal is not maintainable in its present form.
- 10 That the instant Service Appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 11 That the instant Service Appeal is barred by law.
- 12 That the Appellant is not competent to file the instant appeal against the Respondents.
- 13 That the impugned notification dated 17/3/2017 is legally competent & liable to be maintained in favour of the Respondents.
- 14 That no Departmental Appeal has been filed by the appellant to the Respondent Department against the said Notification.
- 15 That the appellant has not resumed her duty charge against the Headmistress (BPS-17) post at GGHS Ambadher District Charsadda.

ON FACTS.

- 1 That Para-1 needs no comments, being pertains to the Service Record of the Appellant against the SET post appointed vide order dated 24/5/1995. (Copy of the said order dated 24/5/1995 is annexed as Annexure-A).
- 2 That Para-2 is also needs no comments as each & every civil servant falling under the ambit of Section-2(b) of Civil Servants Act 1973 is legally & morally bound to performed her official duty against the post she holds in the Respondent Department for which she is being paid salary & other service benefits by the Govt: from the Treasury.
- 3 That Para-3 is correct to the extent of grant of promotion to the appellant from SST(G) post BPS-16 to Headmistress post in BPS-17 vide the notification No: SO(PE)12-6/DPC meeting dated 17/3/2016 & has been posted at GGHS Ambadher District Charsada against the HM Post in BPS-17 under the mandatory provisions of APT Rules 1989 as there was no vacant post of Headmistress in District Peshawar, upon which the appellant could be adjusted with the additional submission that the post of the appellant is Provincial Teaching Cadre post under which is liable to serve anywhere in the Province where ever, the services of the appellant are required under the provisions of Section-10 of the above said Act by the competent authority. Therefore, the plea of the appellant is without any cogent reason & justification & is liable to be dismissed in favour of the Respondent Department. **(Copy of the cited Notification is annexed as Annexure-B).**
- 4 That Para-4 is also incorrect & denied on the grounds that no cogent proof & legal justification has been annexed by the appellant in support of her stand as the HM post is a Provincial Teachers cadre post & that is why she has been adjusted in the adjacent District against the HM Post by the Respondent Department. Therefore, the claim of the appellant regarding her sticking to the school & station of her choice cannot be entertained in the given circumstances of the case.
- 5 That Para-5 is incorrect & denied on the grounds that the appellant has not approached the Respondent Department as the act of the Respondent with regard to the notification dated 17/3/2016 is within legal parameter as well as in accordance with the transfer & postings policy of the Provincial Govt: . **(Copy of the said policy is annexed as Annexure-C).**
- 6 That Para-6 is incorrect & misleading. No post of Headmistress is lying vacant at GGHS Phase-III, Hayat Abad, Peshawar upon which the appellant could be adjusted neither any sort of application has been filed by the appellant to the Respondents till date for the said purpose.
- 7 That Para-7 is also incorrect & denied. The appellant is looking Headmistress for the post & station of her choice at the cost of others deserving as & she is a habitual application filer on mala-fide intentions for putting extra pressure upon the Respondents as against the relevant policy prevalent in the Respondent in Department. Therefore, the plea of the appellant is liable to be dismissed in the interest of female student's community. Where she did not bother to resume her duty at GHS Ambadher District Charsadda.
- 8 That Para-8 is also incorrect & denied. The statement of the appellant is baseless & without any cogent poof & justification & is liable to be rejected in favor of the Respondents.

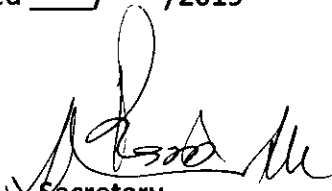
- 40
- 9 That Para-9 is incorrect & not admitted. The notification dated 17/3/2016 is within legal parameter as the promotion dated 17/3/2017 & scale of BPS-17 are subject to the arrival report & resumption of duty as a Headmistress at GGHS Ambadher District Charsadda. Therefore, the claim of the appellant is baseless & liable to be dismissed in favour of the Respondents in the interest of justice. Hence, the Respondents further submits on the following grounds inter alia:-

GROUND.

- A Incorrect & denied. The appellant has been treated as per law, rules & policy. The appellant has not resumed her official duty at GGHS Ambadher District Charsadda against the Headmistress BPS-17 post within the statutory period. Hence, her promotion order dated 17/3/2016 has automatically become null & void to the extent of the appellant falling at Serial No: 155 of the said notification. Therefore, the stand of the appellant deserves to be rejected.
- B Incorrect & denied. The post of the appellant is a Provincial Teaching Cadre in E&SE Department & is liable to serve anywhere in the Province under the provisions of Section-10 of Civil Servants Act: 1973. Furthermore, no cogent proof & specification regarding the diseases have been mentioned by the appellant in support of her plea as the post in of the appellant has been made in the nearest & adjacent District Charsadda which is accessible for the appellant in all respect for duty.
- C Incorrect & denied. The statement of the appellant is without any cogent reason & justification on the grounds as agitated in the foregoing paras of the present reply by the Respondents.
- D Incorrect & not admitted. The stand of the appellant is without any cogent reason & legal justification on the grounds that the appellant has been posted at the nearest & adjacent station against the Headmistress post in BPS-17 by the Respondent Department which she did availed willfully & on mala-fide intentions & now claiming for the grant of promotion against the Headmistress in BPS-17 post in District Peshawar is itself an illegality on the part of the appellant under the terms & conditions of the said notification dated 17/3/2016 of the Respondents.
- E Legal. However, the Respondents further seek leave of this Honorable Tribunal to submit additional grounds, record & case law at the time of arguments on the date fixed.

In view of the above made submissions, it is most humbly request that this Honorable Tribunal may very graciously be pleased to dismiss the instant Service Appeal in favour of the Respondents in the interest of justice.

Dated ___ / ___ /2019


Secretary

E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondents No: 1&2)


Director

E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 3)

AFFIDAVIT

I, Hayat Khan Asstt: Director (Litigation-II) E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant Parawise Comments are true & correct to the best of my knowledge & belief.

Deponent

App 1150 (A) 7/24

NOTIFICATION OF THE DIRECTOR OF SECONDARY EDUCATION N.W.F.P. PESHAWAR.

NOTIFICATION

Consequent upon their election by the Departmental Selection Committee, the Director of Secondary Education NWFP, Peshawar has been pleased to appoint the following trained graduate candidates against SET posts at the School noted against each as: RPS-16 (Ns: 2535-197-5450) plus usual allowances as admissible under the rules with immediate effect subject to the existing terms and conditions.

NAME AND ADDRESS	SCHOOL WHERE POSTED	REMARKS
Mst. Aftab Jehan Khattak N/D Quater Ali Village & M.O Distt. Qilla Ghazal	Govt. Girls Middle School Bandaal Bajaur	Against vacant SET post.

TERMS AND CONDITIONS.

- They will be governed by such rules and regulation as may be prescribed by the Govt. from time to time for the category of Govt. servant to which they belong.
- Their service will be liable to termination on one month notice from either side. In case of resignation without notice the month pay will be forfeited in lieu of notice.
- They should join the posts within one month of the issue of this notification.
- Their inter-competency will be determined in accordance with the merit of their performance as assessed by the Selection Committee.
- Charge report should be submitted to all concerned.
- They shall be on probation for a period of two years.
- Their original certificate/degrees should be checked and verified from the concerned university.
- The declaration of assets should be obtained from them and placed on record.
- Probation candidates should not be handed over charge if their age is less than or more than 30 (2 years Government retirement).
- No FICA is allowed.
- They are required to produce Health and Age certificate from Medical Authorities concerned before taking over charge.

(SYED ABU SALEM BACHA)
DIRECTOR SECONDARY EDUCATION
N.W.F.P. PESHAWAR.

Dated Peshawar the 24/5/1995.

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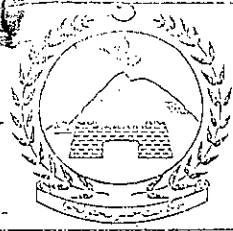
- Accountant General NWFP/Distt: Accounts Officer concerned.
- Director of Education (ETA) (Primary/NWFP) Peshawar
- Divisional Director of Education (Schools) Bajaur Agency
- Distt: Education Officer (Ple) Primary/Secondary concerned.
- Principal/Headmaster concerned.
- Official concerned.

DEPUTY DIRECTOR SECONDARY
FOR DIRECTOR OF SECONDARY EDUCATION
N.W.F.P. PESHAWAR.

M. JABBAR.

Administrative Assistant
Private Secretary

*Liaqat Ali
Supair
Mardan* 16 (C) (M)



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)**

POSTING/TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
 - ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posing/transfers of their choice and against the public interest.
 - iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
 - iv) Existing tenure of posting/transfer of three (03) years for settled areas and two (02) years for unattractive/hard areas shall be reduced to two (02) years for settled areas, 01½ years for unattractive areas and one year for hard areas. *(See Para as retained)*
 - v) *2 years tenure retained vide P-06 for un-attractive/hard area*
 - vi) "While making posting/transfers of officers/officials up to BS-17 from settled areas to FATA and vice versa approval of the Chief Secretary, Khyber PakhtunKhwa needs to be obtained. Save Tehsildars/Naib Tehsildars within a division in respect of whom the concerned Commissioner will exercise the same power. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor, Khyber PakhtunKhwa shall be obtained."
- Provided that the power to transfer Political Tehsildars and Political Naib Tehsildars within FATA between different divisions shall rest in Additional Chief Secretary FATA.
- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
 - vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated,

Circular letter No. SOR-VI/E&AD/1-4/2008/Vol-VII dated, the 11th September, 2009
 Para-I(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-3-2008. Consequently authorities competent under the Khyber PakhtunKhwa Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make Posting/Transfer subject to observance of the policy and rules.
 Para-VI added vide circular letter No. SOR-VI/E&AD/1-4/2010/Vol-VIII dated 20th March, 2010.
 Sub para-VI (a) added vide circular letter No. SOR-VI/E&AD/1-4/2008 dated 22nd October, 2008.

viii) No posting/transfers of the officer's/officials on detailment basis shall be made.

ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.

x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

xi) Officer's/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement

¹DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;

xii) In terms of Rule-17(1) and (2) read with Schedule-III of the Khyber Pakhtunkhwa Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

Outside the Secretariat		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers:	
	a) Within the Same Department	Secretary of the Department concerned.
	b) Within the Secretariat from one Department to another.	Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent:	
	a) Within the same Department	Secretary of the Department concerned.

¹ Added vide Urdu circular letter No: SOR-VI (E&AD)/1-1/2005, dated 9-9-2005.

b) To and from an Attached Department	Secretary of the Department in consultation with Head of Attached Department concerned.
c) Within the Secretariat from one Department to another	Secretary (Establishment)

xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:

- a) To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered.
- b) ✓ Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

xiv) Government servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.

- i) ✓ Pre-mature posing/transfer, or posting transfer in violation of the provisions of this policy.
- ii) Serious and grave personal (humanitarian) grounds.

2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North West Frontier Province District Government Rules of Business 2001 read with schedule - IV thereof is referred. As per schedule-IV the posting/transferring authorities for the officers/officials shown against each are as under:-

S. No.	Officers	Authority
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government.
2.	Posting of District Police Officer.	Provincial Government
3.	Other Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed /implemented.

dated up to April, 2010.

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All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.

{Authority: Letter No: SOR-V/E&AD/1-4/2003 dated 24-6-2003.

It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications.

SPECIMEN NOTIFICATION.

GOVERNMENT OF KHYBER PAKHTUNKHWA
NAME OF ADMINISTRATIVE
DEPARTMENT

Dated Peshawar, _____

NOTIFICATION

NO. The Competent Authority is pleased to order the transfer of Mr. _____ Department and to post him as _____ in the interest of public service, with immediate effect.

CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA

Endst. No. and date even.
Copy forwarded

- 1.
- 2.
- 3.
- 4.

(NAME)
SECTION OFFICER
Administrative Department

{Authority: Letter No. SO (E-1) E&AD/9-12/2006 dated 22-12-2006}.

The competent authority has been pleased to direct that Para I(v) of the Posting/Transfer Policy contained in this Department letter No:SOR-1 (E&AD) 1-1/85 Vol-II, dated 15-2-2003 shall stand deleted, with immediate effect, consequently allowing the authorities, competent under the Khyber Pakhtunkhwa Government Rules of Business, 1985 and the District Government Rules of Business, 2001 or any other rules for the time being in force, to make posting/transfers of Government servants, any time during the year, in genuinely deserving and necessary cases, in public interest.

subject to strict observance of all other provisions of posting/transfer policy contained and notified vide circular letter under reference. Hence there will be no ban on posting/transfer of Government Servants in any part of the year while carrying out postings/transfers of Government Servants.

✓ The authorities concerned will ensure that no injustice whatsoever is caused to any civil servant, public work is not suffered and service delivery is improved.

✓ I am therefore directed to request that the provisions of posting/transfer policy, as amended to the extent above, may kindly be followed in letter and spirit in future so as to keep good governance standard in this regard.

{Authority: Letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008.

According to the policy of the provincial Government, maximum tenure on a post is three years. Contrary to the Policy, Store Keepers, Cashiers, Accountants and other ministerial staff remains posted in their particular field for long time, which may result in misuse of this position, due to which not only public exchequer may sustain loss but general public also suffers. The Provincial Government has taken serious notice of this situation & decided that all Administrative Secretaries and DCOs may submit a certificate within one month to the effect that above mentioned officials, having completed three years on their posts, have been adjusted on posts other than those they held previously.

{Authority: Urdu circular No: SOR-VI (E&AD)/05 dated 28th Oct, 2005.

The Chief Minister Khyber Pakhtunkhwa has directed that:-

- i) Submission of summary would not be required in case of mutual transfer.
- ii) ✓ Posting/transfer shall be made according to the policy;
- iii) Government Servants shall avoid direct submission of applications to the Chief Minister;
- iv) In genuinely deserving case, they should approach the Administrative Secretaries who could process the case according to policy;
- v) In case of direct submission of application to the Chief Minister Secretariat for Posting/ Transfer, the concerned govt servants shall be proceeded against under the prevalent rules and regulations.

{Authority: Urdu circular No: SOR-VI(E&AD)1-4/2003, dated 8-6-2004 & Urdu Letter No: SOR-VI(E&AD)/Misc: 12005, dated 3-1-2006.}

It has been decided with the approval of the competent authority that:-

- i) Mutual transfer would be allowed if both the concerned employees agree; except the Government Servants holding Administrative posts;
- ii) Khyber Pakhtunkhwa Government Rules of Business 1985 shall be observed while issuing posting/transfer orders.

{Authority: - Urdu circular letter No: SOR (E&AD)/1-4/2005, dated 9-9-2005}.

The competent authority has decide that in order to maintain discipline, enhance performance of the departments and ensure optimum service delivery to the masses, the approved /prevalent policy of the posting/transfer shall be strictly followed. Government Servants violating the policy and the Khyber Pakhtunkhwa Govt Servants (Conduct) Rules 1987 shall be proceeded against under the Khyber Pakhtunkhwa Removal from Service (Special Powers) Ordinance 2000. As required under the Khyber Pakhtunkhwa Govt Rules of Business 1985, the Administrative Secretaries shall ensure compliance with the policy and defaulting officers/officials be taken to task & entries to this effect

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shall be made in their PERs/ACRs. In case subordinate officers are working on sites or on field for the purpose of inspection, they shall submit inspection Report to their Administrative Secretaries. Administrative Secretaries shall ensure submission of such reports.

{Authority: - Urdu circular No: SOR-VI (E&AD)/1-4/06, dated, 29-6-2007}.

In continuation of this Department circular letter No.SOR-VI/E&AD/1-4/2008/Vol-VII dated 11th September, 2009, I am directed to refer to the subject and to say that the Provincial Cabinet in its meeting held on 30th March, 2010 inter-alia approved the following for the purpose of Posting/Transfer Policy:-

Unattractive/Hard Areas

1. The distinction between unattractive/hard areas should be done away with and both should be labeled as Unattractive areas.

2. Existing list of FATA areas be retained.

3. The following areas were recommended/approved to constitute unattractive areas in NWFP:-

- a. Kohistan District.
- b. Tank District.
- c. Chitral District.
- d. Batgram District.
- e. Shangla District.
- f. Hangu District.
- g. PATA areas of Mansehra (Kala Dhaka)

b) Tenure for 5-11.64 area 03 years, unattractive area is 02 2 (P-I)

Tenure of posting.

i. The erstwhile normal tenure of 2 years be retained.

ii. Existing tenure for unattractive areas be retained. However, in case of married civil servants, transfer should be made just at the beginning of school session and tenure should be one year instead of 1.5 year, so that academic disruptions are avoided.

iii. At the time of entry in service, all civil servants be asked to give 4 options from unattractive areas.

iv. After a stint of service in unattractive area, employees may be offered option to serve in district of choice.

PLACEMENT POLICY.

In order to utilize the expertise of the officers who have received foreign training in various fields, the provincial Government has decided to adopt the Placement Policy, approved by the Prime Minister of Pakistan, and make it a part of its Posting/Transfer Policy. Placement Policy is as follows:-

i) All placements would be made on the basis of merit and keeping in view the needs of the organization.

ii) The first priority in placement must go the parent organization of the participant from where the individual had applied. This will be in

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consonance with the concept of establishing the "Need" for the department and fulfilling the need through "capacity building for the organization.

- iii) In order to follow the "bottom up approach" for Devolution, the priority within departments must go to the Districts, the Provinces and than the Federal Government.
- iv) The second priority in placement should go to up-grading the existing training Institution within the country. The knowledge gained by the officers, will be of immense value to bring about a qualitative change in the training institutions. The following proposals are made in this regard:
 - a) Permanent posting of an officer to the training institutions for 2-3 years;
 - b) Temporary attachment with the training intuitions for 3 to 6 months for some research project on helping in developing case studies;
 - c) Eamarked as a visiting faculty member for specific subject.
- v) Individuals posted to their parent organizations will also organize training for their subordinates within the department, in order to transfer the knowledge and bring about a qualitative change internally;
- vi) ✓ The Normal tenure of posting as already provided in the policy would be ensured;
- vii) No participant should be allowed to be posted on deputation to multinational donor agencies for at least 5 years;
- viii) No participants will decline/represent against his/her posting.

**BEFORE THE HONORABLE KHYBER PAKHATUNKHWA SERVICE TRIBUNAL
PESHAWAR.**

Service Appeal No: 1195/2018

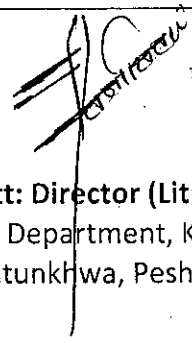
Mst: Aftab Jehan SST(G) GGHS Islamiya Colligate, Peshawar.Appellant.

VERSUS

Secretary (E&SE) Department, Khyber Pakhtunkhwa & others.Respondents

INDEX

S/#	Description of document	Annexure	Page #
1	Joint Parawise Comments		1-4
2	Copy of Notification dated 24/5/1995	A	5-6
3	Copy of Notification dated 17/3/2016	B	7-9
4	Transfer & posting policy	C	10-16



Asstt: Director (Lit: II)
E&SE Department, Khyber
Pakhtunkhwa, Peshawar.

12 That the appellant has not resigned her duty since signing the Honorary (852-11) Department against the said notification

14 That the appellant's absence has been filed by the appellant to the Respondent

13 That the respondent notification dated 11/10/78 is not validly issued & therefore no effect

11 That the respondent is not competent to file the petition for the removal of the Respondent

10 That the instant service appeal is not maintainable in its present form

9 That the instant service appeal is not maintainable in its present form

8 That the instant appeal is based on facts which are not in dispute

7 That the instant service appeal is against the prevailing law & order

6 That the appellant is not entitled to the relief sought by her in the petition

5 That the appellant has not come to the Honorable Tribunal with clean hands

4 That the instant service appeal is based on facts which are not in dispute

3 That the appellant has not come to the Honorable Tribunal with clean hands

2 That the instant service appeal is based on facts which are not in dispute

1 That the instant service appeal is based on facts which are not in dispute

That the appellant has not come to the Honorable Tribunal with clean hands

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That the appellant has not come to the Honorable Tribunal with clean hands

Preliminary Objections

Respondent's Answer

PARAGRAPHS POINTS ON BEHALF OF RESPONDENT'S NO. 1-3

SECRETARY (E&E) Department, कृषि व पशुवैद्य विभाग, नया दिल्ली-110002. Respondent

व्यक्ति

मि: अशोक चंद्र (C) सहायक निरीक्षक, पशुवैद्य विभाग, नया दिल्ली-110002. Appellant

Service Appeal No: 1182/2078.

पशुवैद्य विभाग

BEFORE THE HONORABLE CHIEF EXECUTIVE OFFICER

ON FACTS.

- 1 That Para-1 needs no comments, being pertains to the Service Record of the Appellant against the SET post appointed vide order dated 24/5/1995. (Copy of the said order dated 24/5/1995 is annexed as Annexure-A).
- 2 That Para-2 is also needs no comments as each & every civil servant falling under the ambit of Section-2(b) of Civil Servants Act 1973 is legally & morally bound to performed her official duty against the post she holds in the Respondent Department for which she is being paid salary & other service benefits by the Govt: from the Treasury.
- 3 That Para-3 is correct to the extent of grant of promotion to the appellant from SST(G) post BPS-16 to Headmistress post in BPS-17 vide the notification No: SO(PE)12-6/DPC meeting dated 17/3/2016 & has been posted at GGHS Ambadher District Charsada against the HM Post in BPS-17 under the mandatory provisions of APT Rules 1989 as there was no vacant post of Headmistress in District Peshawar, upon which the appellant could be adjusted with the additional submission that the post of the appellant is Provincial Teaching Cadre post under which is liable to serve anywhere in the Province where ever, the services of the appellant are required under the provisions of Section-10 of the above said Act by the competent authority. Therefore, the plea of the appellant is without any cogent reason & justification & is liable to be dismissed in favour of the Respondent Department. **(Copy of the cited Notification is annexed as Annexure-B).**
- 4 That Para-4 is also incorrect & denied on the grounds that no cogent proof & legal justification has been annexed by the appellant in support of her stand as the HM post is a Provincial Teachers cadre post & that is why she has been adjusted in the adjacent District against the HM Post by the Respondent Department. Therefore, the claim of the appellant regarding her sticking to the school & station of her choice cannot be entertained in the given circumstances of the case.
- 5 That Para-5 is incorrect & denied on the grounds that the appellant has not approached the Respondent Department as the act of the Respondent with regard to the notification dated 17/3/2016 is within legal parameter as well as in accordance with the transfer & postings policy of the Provincial Govt: . **(Copy of the said policy is annexed as Annexure-C).**
- 6 That Para-6 is incorrect & misleading. No post of Headmistress is lying vacant at GGHS Phase-III, Hayat Abad, Peshawar upon which the appellant could be adjusted neither any sort of application has been filed by the appellant to the Respondents till date for the said purpose.
- 7 That Para-7 is also incorrect & denied. The appellant is looking Headmistress for the post & station of her choice at the cost of others deserving as & she is a habitual application filer on mala-fide intentions for putting extra pressure upon the Respondents as against the relevant policy prevalent in the Respondent in Department. Therefore, the plea of the appellant is liable to be dismissed in the interest of female student's community. Where she did not bother to resume her duty at GHS Ambadher District Charsadda.
- 8 That Para-8 is also incorrect & denied. The statement of the appellant is baseless & without any cogent poof & justification & is liable to be rejected in favor of the Respondents.

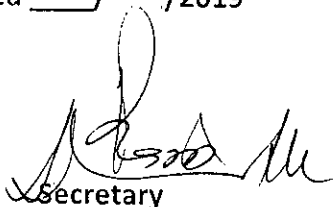
- 40
9. That Para-9 is incorrect & not admitted. The notification dated 17/3/2016 is within legal parameter as the promotion dated 17/3/2017 & scale of BPS-17 are subject to the arrival report & resumption of duty as a Headmistress at GGHS Ambadher District Charsadda. Therefore, the claim of the appellant is baseless & liable to be dismissed in favour of the Respondents in the interest of justice. Hence, the Respondents further submits on the following grounds inter alia:-

GROUNDS.

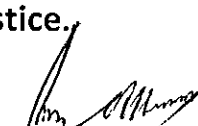
- A Incorrect & denied. The appellant has been treated as per law, rules & policy. The appellant has not resumed her official duty at GGHS Ambadher District Charsadda against the Headmistress BPS-17 post within the statutory period. Hence, her promotion order dated 17/3/2016 has automatically become null & void to the extent of the appellant falling at Serial No: 155 of the said notification. Therefore, the stand of the appellant deserves to be rejected.
- B Incorrect & denied. The post of the appellant is a Provincial Teaching Cadre in E&SE Department & is liable to serve anywhere in the Province under the provisions of Section-10 of Civil Servants Act: 1973. Furthermore, no cogent proof & specification regarding the diseases have been mentioned by the appellant in support of her plea as the post in of the appellant has been made in the nearest & adjacent District Charsadda which is accessible for the appellant in all respect for duty.
- C Incorrect & denied. The statement of the appellant is without any cogent reason & justification on the grounds as agitated in the foregoing paras of the present reply by the Respondents.
- D Incorrect & not admitted. The stand of the appellant is without any cogent reason & legal justification on the grounds that the appellant has been posted at the nearest & adjacent station against the Headmistress post in BPS-17 by the Respondent Department which she did availed willfully & on mala-fide intentions & now claiming for the grant of promotion against the Headmistress in BPS-17 post in District Peshawar is itself an illegality on the part of the appellant under the terms & conditions of the said notification dated 17/3/2016 of the Respondents.
- E Legal. However, the Respondents further seek leave of this Honorable Tribunal to submit additional grounds, record & case law at the time of arguments on the date fixed.

In view of the above made submissions, it is most humbly request that this Honorable Tribunal may very graciously be pleased to dismiss the instant Service Appeal in favour of the Respondents in the interest of justice.

Dated ___/___/2019


Secretary

E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondents No: 1&2)


Director
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 3)

AFFIDAVIT

I, Hayat Khan Asstt: Director (Litigation-II) E&SE Department Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant Parawise Comments are true & correct to the best of my knowledge & belief.

Deponent

Approved: (A) 7/24

NOTIFICATION
DIRECTOR OF SECONDARY EDUCATION N.W.F.P. PESHAWAR.

Consequent upon their election by the Departmental Selection Committee, the Director of Secondary Education NWFP, Peshawar has been pleased to appoint the following trained graduate candidates against SET posts at the School noted against their RPS-16(Rs: 2535-197-5450) plus usual allowances as admissible under the rules with immediate effect subject to the existing terms and conditions.

NAME AND ADDRESS	SCHOOL WHERE POSTED	REMARKS
Mst. Aftab Jehan M. B.M B/P Near Old Village & M.O Dist. Qalica Ch. Gaudla	Govt. Girls Middle School Sardana (Bajbar)	Against vacant SET post.

TERMS AND CONDITIONS.

- They will be governed by such rules and regulation as may be prescribed by the Govt. from time to time for the category of Govt. servant to which they belong.
- Their service will be liable to termination on one month notice from either side. In case of resignation with out notice one month pay will be forfeited in lieu of notice.
- They should join the posts within one month of the issue of this notification.
- Their inter-competency will be determined in accordance with the merit of their performance report submitted to all concerned.
- They shall be on probation for a period of two years.
- Their original certificate/degrees should be checked and verified from the concerned university.
- The declaration of assents should be obtained from them and placed on record.
- Probation candidates should not be handed over charge if their Age is less than or more than 30-(2 years Government relaxation).
- No F.R.D.A. is allowed.
- They are required to produce Health and Age certificate from Medical facilities concerned, before taking over charge.

(SYED ABU SAHEB BACHA)
 DIRECTOR SECONDARY EDUCATION
 N.W.F.P. PESHAWAR.
 Dated Peshawar, the 26/10/1995.

- Copy forwarded for information to the:-
- Accountant General NWFP/Dist: Accounts Officer concerned.
- Director of Education (P.T.A) (Primary/NWFP) Peshawar.
- Divisional Director of Education (Schools) Peshawar.
- Dist: Education Officer (File) Primary/Secondary concerned.
- Principal/Headmaster concerned.
- Official concerned.

(Signature)
 DEPUTY DIRECTOR SECONDARY
 FOR DIRECTOR OF SECONDARY EDUCATION
 N.W.F.P. PESHAWAR.

M. JABBAR.

Rules 1987 shall be proceeded against under the Khyber Pakhtunkhwa Removal from Service (Special Powers) Ordinance 2000. As required under the Khyber Pakhtunkhwa Govt Rules of Business 1985, the Administrative Secretaries shall ensure compliance with the policy and defaulting officers/officials be taken to task & entries to this effect

OFFICE OF THE DIRECTOR OF SECONDARY EDUCATION N.W.F.P. PESHAWAR

23

NOTIFICATION

Consequent upon their election by the Departmental Selection Committee, the Director of Secondary Education NWFP, Peshawar has been pleased to appoint the following trained graduate candidate against the posts at the School noted against each BPS-16 (Rs. 2535-197-4400) plus usual allowances as admissible under the rules with immediate effect subject to the existing terms and conditions:

S.No.	NAME AND ADDRESS	SCHOOL WHERE POSTED
	Mst. Aftab Jehan S/D Qamar Ali Village & P.O. Bara Quilla Charsaddah	Govt Girls School (Bajour)
		Against Vacant SET Post.

TERMS AND CONDITIONS.

They will be governed by such rules and regulation as may in prescribed by the Govt. from time to time for the category of Govt. servant in which they belong.

Their service will be liable to termination on one month notice from alternate. In case of resignation without notice one month pay will be forfeited in lieu.....

They should join the posts within one month of this notification. Their inter-presentation will be determined in acceptance with the members of Selection Committee.

Charge Report should be joint the submitted to all concerned. They should be on probation for a period for a two years. Their original certificates/degrees should be checked and verified from a concerned university.

The declaration of assets should be obtained from them and placed on record. Fresh candidates should not be checked and verified handed over charge if their age is less than 25 years.

No TA DA will be allowed.

Their age required be produce Health and Age Certificate from Medical Authorities concerned, before taking over charge,

(SYED ABU SALEEM BACHA)
DIRECTOR, SECONDARY EDUCATION
N.W.F.P. PESHAWAR.

No. 2648/3700 SET/Apl.

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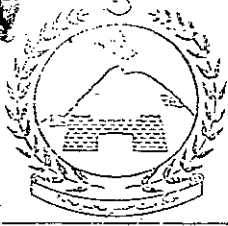
Accountant General NWFP/Distt. Accounts Officer concerned.
Director of Education (FATA) (Primary NWFP Peshawar.
Agency Education Officer Bajour Agency.

Distt. Education Officer as Primary/Secondary concerned.
Principal / headmaster concerned.

Official concerned.

(DEPUTY DIRECTOR SECONDARY
FOR DIRECTOR OF EDUCATION
N.W.F.P. PESHAWAR.

*Liaqat Ali
Supair
Mardan* 16 (C)



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(REGULATION WING)**

POSTING/TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT:

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
 - ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posing/transfers of their choice and against the public interest.
 - iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
 - iv) Existing tenure of posting/transfer of three (03) years for settled areas and two (02) years for unattractive/hard areas shall be reduced to two (02) years for settled areas, 01½ years for unattractive areas and one year for hard areas. *(See Pa as retained)*
 - v) *2 years tenure retained vide P-06 for un-attractive/hard areas*
 - vi) ³⁻While making posting/transfers of officers/officials up to BS-17 from settled areas to FATA and vice versa approval of the Chief Secretary, Khyber PakhtunKhwa needs to be obtained. Save Tehsildars/Naib Tehsildars within a division in respect of whom the concerned Commissioner will exercise the same power. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor, Khyber PakhtunKhwa shall be obtained.”
- Provided that the power to transfer Political Tehsildars and Political Naib Tehsildars within FATA between different divisions shall rest in Additional Chief Secretary FATA.
- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
 - vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.

Circular letter No. SOR-VI/E&AD/1-4/2008/Vol-VII dated, the 11th September, 2009
 Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No. SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-5-2008. Consequently authorities competent under the Khyber PakhtunKhwa Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make Posting/Transfer subject to observance of the policy and rules.
 Para-VI added vide circular letter No. SOR-VI/E&AD/1-4/2010/Vol-VIII dated 20th March, 2010.
 Sub para-VI (a) added vide circular letter No. SOR-VI/E&AD/1-4/2008 dated 22nd October, 2008.

- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.
- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement
- ¹DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;
- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the Khyber Pakhtunkhwa Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

Outside the Secretariat		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers:	
	a) Within the Same Department	Secretary of the Department concerned.
	b) Within the Secretariat from one Department to another.	Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent:	
	a) Within the same Department	Secretary of the Department concerned.

b) To and from an Attached Department	Secretary of the Department in consultation with Head of Attached Department concerned.
c) Within the Secretariat from one Department to another	Secretary (Establishment)

xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:

- a) To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered.
- b) ✓ Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

xiv) Government servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.

- i) ✓ Pre-mature posing/transfer or posting transfer in violation of the provisions of this policy.
- ii) Serious and grave personal (humanitarian) grounds.

2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North West Frontier Province District Government Rules of Business 2001 read with schedule - IV thereof is referred. As per schedule-IV the posting/transferring authorities for the officers/officials shown against each are as under:-

S. No.	Officers	Authority
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government.
2.	Posting of District Police Officer.	Provincial Government
3.	Other Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed /implemented.

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dated up to April, 2018.

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.

{Authority: Letter No: SOR-F/E&AD/1-1/2003 dated 24-6-2003.

It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications.

SPECIMEN NOTIFICATION.

GOVERNMENT OF KHYBER PAKHTUNKHWA
NAME OF ADMINISTRATIVE
DEPARTMENT

Dated Peshawar, _____

NOTIFICATION

NO. The Competent Authority is pleased to order the transfer of Mr. _____ Department and to post him as _____ in the interest of public service, with immediate effect.

CHIEF SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA

Endst. No. and date even.

Copy forwarded

- 1.
- 2.
- 3.
- 4.

(NAME)
SECTION OFFICER
Administrative Department

{Authority: Letter No. SO (E-1) E&AD/9-12/2006 dated 22-12-2006}.

The competent authority has been pleased to direct that Para 1(v) of the Posting/Transfer Policy contained in this Department letter No:SOR-1 (E&AD) 1-1/85 Vol-II, dated 15-2-2003 shall stand deleted with immediate effect, consequently allowing the authorities, competent under the Khyber Pakhtunkhwa Government Rules of Business, 1985 and the District Government Rules of Business, 2001 or any other rules for the time being in force, to make posting/transfers of Government servants, any time during the year, in genuinely deserving and necessary cases, in public interest.

subject to strict observance of all other provisions of posting/transfer policy contained and notified vide circular letter under reference. Hence there will be no ban on posting/transfer of Government Servants in any part of the year while carrying out postings/transfers of Government Servants.

✓ The authorities concerned will ensure that no injustice whatsoever is caused to any civil servant, public work is not suffered and service delivery is improved.

✓ I am therefore directed to request that the provisions of posting/transfer policy, as amended to the extent above, may kindly be followed in letter and spirit in future so as to keep good governance standard in this regard.

{Authority: Letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008.

According to the policy of the provincial Government, maximum tenure on a post is three years. Contrary to the Policy, Store Keepers, Cashiers, Accountants and other ministerial staff remains posted in their particular field for long time, which may result in misuse of this position, due to which not only public exchequer may sustain loss but general public also suffers. The Provincial Government has taken serious notice of this situation & decided that all Administrative Secretaries and DCOs may submit a certificate within one month to the effect that above mentioned officials, having completed three years on their posts, have been adjusted on posts other than those they held previously.

{Authority: Urdu circular No: SOR-VI (E&AD)/05 dated 28th Oct, 2005.

The Chief Minister Khyber Pakhtunkhwa has directed that:-

- i) Submission of summary would not be required in case of mutual transfer.
- ii) ✓ Posting/transfer shall be made according to the policy;
- iii) Government Servants shall avoid direct submission of applications to the Chief Minister;
- iv) In genuinely deserving case, they should approach the Administrative Secretaries who could process the case according to policy;
- v) In case of direct submission of application to the Chief Minister Secretariat for Posting/ Transfer, the concerned govt servants shall be proceeded against under the prevalent rules and regulations.

{Authority: Urdu circular No: SOR-VI(E&AD)/1-4/2003, dated 8-6-2004 & Urdu Letter No: SOR-VI/E&AD/Misc: /2005, dated 3-1-2006.}

It has been decided with the approval of the competent authority that:-

- i) Mutual transfer would be allowed if both the concerned employees agree; except the Government Servants holding Administrative posts;
- ii) Khyber Pakhtunkhwa Government Rules of Business 1985 shall be observed while issuing posting/transfer orders.

{Authority: - Urdu circular letter No: SOR (E&AD)/1-4/2005, dated 9-9-2005.}

The competent authority has decide that in order to maintain discipline, enhance performance of the departments and ensure optimum service delivery to the masses, the approved /prevalent policy of the posting/transfer shall be strictly followed. Government Servants violating the policy and the Khyber Pakhtunkhwa Govt Servants (Conduct) Rules 1987 shall be proceeded against under the Khyber Pakhtunkhwa Removal from Service (Special Powers) Ordinance 2000. As required under the Khyber Pakhtunkhwa Govt Rules of Business 1985, the Administrative Secretaries shall ensure compliance with the policy and defaulting offices/officials be taken to task & entries to this effect

Updated up to April, 2010.

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shall be made in their PERs/ACRs. In case subordinate officers are working on sites or on fielding for the purpose of inspection, they shall submit inspection Report to their Administrative Secretaries. Administrative Secretaries shall ensure submission of such reports.

{Authority: - Urdu circular No: SOR-VI (E&AD)/1-4/06, dated, 29-6-2007}.

In continuation of this Department circular letter No.SOR-VI/E&AD/1-4/2008/Vol-VII dated 11th September, 2009, I am directed to refer to the subject and to say that the Provincial Cabinet in its meeting held on 30th March, 2010 inter-alia approved the following for the purpose of Posting/Transfer Policy:-

Unattractive/Hard Areas

1. The distinction between unattractive/hard areas should be done away with and both should be labeled as Unattractive areas. ✓
2. Existing list of FATA areas be retained.
3. The following areas were recommended/approved to constitute unattractive areas in NWFP:-

- a. Kohistan District.
- b. Tank District.
- c. Chitral District.
- d. Batgram District.
- e. Shangla District. ✓
- f. Hangu District.
- g. PATA areas of Mansehra (Kala Dhaka)

b) Tenure for unattractive area is 02 ✓
(P-I)

Tenure of posting.

- i. The erstwhile normal tenure of 2 years be retained. ✓
- ii. Existing tenure for unattractive areas be retained. However, in case of married civil servants, transfer should be made just at the beginning of school session and tenure should be one year instead of 1.5 year, so that academic disruptions are avoided.
- iii. At the time of entry in service, all civil servants be asked to give 4 options from unattractive areas.
- iv. After a stint of service in unattractive area, employees may be offered option to serve in district of choice.

7 PLACEMENT POLICY.

In order to utilize the expertise of the officers who have received foreign training in various fields, the provincial Government has decided to adopt the Placement Policy, approved by the Prime Minister of Pakistan, and make it a part of its Posting/Transfer Policy. Placement Policy is as follows:-

- i) All placements would be made on the basis of merit and keeping in view the needs of the organization.
- ii) The first priority in placement must go the parent organization of the participant from where the individual had applied. This will be in

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consonance with the concept of establishing the "Need" for the department and fulfilling the need through capacity building for the organization.

- iii) In order to follow the "bottom up approach" for Devolution, the priority within departments must go to the Districts, the Provinces and than the Federal Government.
- iv) The second priority in placement should go to up-grading the existing training Institution within the country. The knowledge gained by the officers, will be of immense value to bring about a qualitative change in the training institutions. The following proposals are made in this regard:
 - a) Permanent posting of an officer to the training institutions for 2-3 years;
 - b) Temporary attachment with the training intuitions for 3 to 6 months for some research project on helping in developing case studies;
 - c) Earmarked as a visiting faculty member for specific subject.
- v) Individuals posted to their parent organizations will also organize training for their subordinates within the department, in order to transfer the knowledge and bring about a qualitative change internally;
- vi) ✓ The Normal tenure of posting as already provided in the policy would be ensured;
- vii) No participant should be allowed to be posted on deputation to multinational donor agencies for at least 5 years;
- viii) No participants will decline/represent against his/her posting.

